

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

WELLPATH HOLDINGS, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-90533 (ARP)

(Jointly Administered)

**AGENDA OF MATTERS  
SET FOR HEARING ON DECEMBER 11, 2024**

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The above-captioned debtors and debtors in possession (collectively, the “Debtors”) file this agenda of matters set for hearing on **December 11, 2024 at 9:30 a.m. (prevailing Central Time)**, before the Honorable Judge Alfredo R. Pérez to consider the following:

**Matters Going Forward**

1. **Critical Vendors Motion.** Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Lien Claimants, (B) 503(b)(9) Claimants, (C) PACA/PASA Claimants, and (D) Critical Vendors, (II) Confirming Administrative Expense Priority for Outstanding Orders, and (III) Granting Related Relief [Docket No. 11].

Status: This matter is going forward.

Related Documents:

- a. Interim Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Lien Claimants, (B) 503(b)(9) Claimants, (C) PACA/PASA Claimants, and (D) Critical Vendors, (II) Confirming Administrative Expense Priority for Outstanding Orders, and (III) Granting Related Relief [Docket No. 67];
- b. Objection to Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Lien Claimants, (B) 503(b)(9) Claimants, (C) PACA/PASA Claimants, and (D) Critical Vendors, (II) Confirming Administrative

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<sup>1</sup> A complete list of the Debtors (as defined below) in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/Wellpath>. The Debtors’ service address for these chapter 11 cases is 3340 Perimeter Hill Drive, Nashville, Tennessee 37211.

- Expense Priority for Outstanding Orders, and (III) Granting Related Relief. [Docket No. 286];
- c. Diamond Drugs, Inc.'s Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 327];
  - d. The Statutory Unsecured Claimholders' Committee's Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 331]; and
  - e. Debtors and Debtors in Possession Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 332].
2. **Cash Collateral and DIP Motion.** Debtors' Amended Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Grant Liens and Superpriority Administrative Expense Claims, (III) Grant Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [Docket No. 58]

Status: This matter is going forward.

Related Documents:

- a. Amended Declaration of Christian Tempke in Support of Debtors' Amended Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Grant Liens and Superpriority Administrative Expense Claims, (III) Grant Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [Docket No. 59];
- b. Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, and (B) Use Cash Collateral; (II) Granting Liens and Providing Superpriority Administrative Expense Claims; (III) Granting Adequate Protection to the Prepetition Secured Parties; (IV) Modifying the Automatic Stay; (V) Scheduling Final Hearing; and (VI) Granting Related Relief [Docket No. 81];
- c. Limited Objection and Reservation of Rights of Diamond Drugs, Inc. to Debtors' Amended Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Grant Liens and Superpriority Administrative Expense Claims, (III) Grant Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [Docket No. 248];
- d. United States Trustee's Objection to Debtors Amended Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV)

- Modifying the Automatic Stay, (V) Scheduling A Final Hearing, and (VI) Granting Related Relief [Docket No. 251];
  - e. Diamond Drugs, Inc.'s Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 327];
  - f. The Statutory Unsecured Claimholders' Committee's Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 331]; and
  - g. Debtors and Debtors in Possession Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 332].
3. **Motion to Reconsider.** The Statutory Unsecured Claimholders' Committee's Emergency Motion for Relief from or, in the Alternative, for Alteration of Amendment to the Court's Order Approving Bid Procedures for the Sale of Debtors' Assets [Docket No. 275].

Status: This matter is going forward.

Related Documents:

- a. Order (I) Approving the Bidding Procedures for the Sale of the Debtors' Assets, (II) Approving Entry into a Stalking Horse Purchase Agreement for the Recovery Solutions Assets, (III) Authorizing the Recovery Solutions Expense Reimbursement, (IV) Authorizing Potential Selection of Stalking Horse Bidders for the Corrections Assets and Approving Related Corrections Asset(s) Bid Protections, (V) Establishing Related Dates and Deadlines, (VI) Approving the Form and Manner of Notice Thereof, and (VII) Approving the Assumption and Assignment Procedures, (VIII) Granting Related Relief [Docket No. 111];
- b. Certificate of Publication of Notice of Sale, Bidding Procedures, Auction, and Sale Hearing [Docket No. 230];
- c. The Statutory Unsecured Claimholders' Committee's Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 331]; and
- d. Debtors and Debtors in Possession Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 332].

**Matters Not Going Forward**

4. **Stay Extension Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants [Docket No. 17].

Status: Rescheduled to January 14, 2025, at 9:00 a.m. (prevailing Central Time).

Related Documents:

- a. Amended Interim Order Enforcing the Automatic Stay [Docket No. 69];
- b. Edward Major's Objection to Debtors' Emergency Motion to Enforce the Automatic Stay or in the Alternative Extend the Stay to Non-Debtor Defendants [Docket No. 238];

- c. Response of Certain Claimants to Debtors' Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants [Docket No. 245];
  - d. Objection of Richard Reichart to Entry of a Final Order to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants Under Section 11 U.S.C. § 362(d)(1) [Docket No. 249];
  - e. Deborah Young's Objection to Final Order/Automatic Stay [Docket No. 250];
  - f. Administrator of the Estate of Darius Pizarro, Plaintiff Liza Pizarro's Objection to Entry of a Final Order on Debtors' Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants [Docket No. 254]; and
  - g. Notice of Rescheduled Final Hearing on the Stay Extension Motion to Be Held on January 14, 2025 at 9:00 a.m. [Docket No. 310].
5. **Customer Programs Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (II) Granting Related Relief [Docket No. 8].

Status: Resolved through the filing of a certificate of counsel and entry of an order.

Related Documents:

- a. Interim Order (I) Authorizing the Debtors to Maintain and Administer Their Existing Customer Programs and Honor Prepetition Obligations Related Thereto and (II) Granting Related Relief [Docket No. 65]; and
  - b. Debtors and Debtors in Possession Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 332].
6. **Insurance Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered Into Prepetition and Satisfy Prepetition Obligations Related Thereto, (B) Honor and Renew the Premium Financing Agreements Entered Into Prepetition and Satisfy Obligations Related Thereto, (C) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (D) Continue to Pay Brokerage Fees, and (E) Maintain the Surety Bond Program and Letters of Credit, and (II) Granting Related Relief [Docket No. 12].

Status: Resolved through the filing of a certificate of counsel and entry of an order.

Related Documents:

- a. Amended Interim Order (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered Into Prepetition and Satisfy Prepetition Obligations Related Thereto, (B) Honor and Renew the Premium Financing Agreements Entered Into Prepetition and Satisfy Obligations Related Thereto, (C) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (D) Continue to Pay Brokerage Fees, and (E) Maintain the Surety Bond Program and the Letters of Credit, and (II) Granting Related Relief [Docket No. 64]; and
  - b. The Statutory Unsecured Claimholders' Committee's Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 331]; and
  - c. Debtors and Debtors in Possession Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 332].
7. **Cash Management Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System and Maintain Existing Bank Accounts, and (B) Maintain Existing Business Forms and Books and Records, (II) Waiving Deposit Requirements, (III) Allowing Intercompany Transactions and Affording Administrative Expense Priority to Post-Petition Intercompany Claims, and (IV) Granting Related Relief [Docket No. 13].

Status: Resolved through the filing of a certificate of counsel and entry of an order.

Related Documents:

- a. Interim Order (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System and Maintain Existing Bank Accounts, and (B) Maintain Existing Business Forms and Books and Records, (II) Waiving Deposit Requirements, (III) Allowing Intercompany Transactions and Affording Administrative Expense Prior to Post-Petition Intercompany Claims, and (IV) Granting Related Relief [Docket No. 63]; and
  - b. The Statutory Unsecured Claimholders' Committee's Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 331]; and
  - c. Debtors and Debtors in Possession Witness and Exhibit List for December 11, 2024 Hearing [Docket No. 332].

**PLEASE TAKE FURTHER NOTICE that you may participate in the hearing either in person or by an audio or video connection.** Audio communication will be by use of the Court's dial-in facility. You may access the facility at 1 (832) 917-1510. Once connected, you will be asked to enter the conference room number. Judge Pérez's conference room number is 282694. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Pérez's home page <https://www.txs.uscourts.gov/page/united-states-bankruptcy-judge-alfredo-r-perez>. The meeting code is "JudgePerez". Click the settings icon in the upper right corner and enter your name under the personal information setting.

**PLEASE TAKE FURTHER NOTICE** that hearing appearances must be made electronically in advance of both electronic and in-person hearings. To make your electronic appearance, click the “Electronic Appearance” link on Judge Pérez’s home page. Select the case name, complete the required fields and click “Submit” to complete your appearance.

**PLEASE TAKE FURTHER NOTICE** that all documents filed in these chapter 11 cases are available free of charge by visiting <https://dm.epiq11.com/Wellpath>. Copies of any pleadings or papers filed with the Court may also be obtained by visiting the Court’s website at <https://ecf/txsb.uscourts.gov> in accordance with the procedures and fee set forth therein.

Dated: December 10, 2024  
Dallas, Texas

/s/ *Marcus A Helt*

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Marcus A Helt (Texas Bar No. 24052187)  
MCDERMOTT WILL & EMERY LLP  
2501 N. Harwood Street, Suite 1900  
Dallas, Texas 75201-1664  
Telephone: (214) 295-8000  
Facsimile: (972) 232-3098  
Email: mhelt@mwe.com

-and-

Felicia Gerber Perlman (admitted *pro hac vice*)  
Bradley Thomas Giordano (admitted *pro hac vice*)  
Jake Jumbeck (admitted *pro hac vice*)  
Carole Wurzelbacher (admitted *pro hac vice*)  
Carmen Dingman (admitted *pro hac vice*)  
MCDERMOTT WILL & EMERY LLP  
444 West Lake Street  
Chicago, Illinois 60606-0029  
Telephone: (312) 372-2000  
Facsimile: (312) 984-7700  
Email: fperlman@mwe.com  
bgordano@mwe.com  
jjumbeck@mwe.com  
cwurzelbacher@mwe.com  
cdingman@mwe.com

-and-

Steven Z. Szanzer (admitted *pro hac vice*)  
MCDERMOTT WILL & EMERY LLP  
One Vanderbilt Avenue  
New York, New York 10017  
Telephone: (212) 547-5400  
Facsimile: (212) 547-5444  
Email: sszanzer@mwe.com

*Proposed Counsel for the Debtors and Debtors in Possession*

**CERTIFICATE OF SERVICE**

I certify that on December 10, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Marcus A Helt

Marcus A Helt